

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

GARY J. GALLONIO,)	
Plaintiff,)	Civil Action No. 04-1642
)	
v.)	United States District Judge Lancaster
)	United States Magistrate Judge Lenihan
JAMESON MEMORIAL HOSPITAL,)	
Defendant.)	

MEMORANDUM ORDER

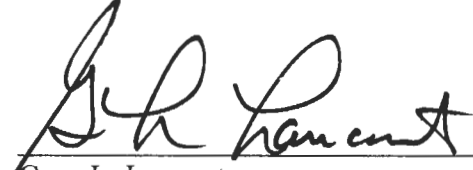
Plaintiff's Complaint was received by the Clerk of Court on October 27, 2004, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation (Doc. No. 12) filed on August 8, 2005, recommended that the Defendant's Motion to Dismiss (Doc. No. 8) be denied in part and granted in part. Service was made on all counsel of record. The parties were informed that in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1)(B) and (C), and Rule 72.1.4(B) of the Local Rules for Magistrates, that they had ten (10) days to file any objections. No objections have been filed. After review of the pleadings and the documents in the case, together with the Report and Recommendation, the following Order is entered:

AND NOW, this 29th day of Aug, 2005;

IT IS HEREBY ORDERED that Defendant's Motion to Dismiss (Doc. No. 8) is granted in part and denied in part.

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No. 12) of Magistrate Judge Lenihan, dated August 8, 2005, is adopted as the Opinion of the Court.



Gary L. Lancaster
United States District Judge

cc: The Honorable Lisa Pupo Lenihan
United States Magistrate Judge

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